REMARKS

These remarks are made responsive to the final office action mailed November 16, 2004.

Claims 1-36 have been cancelled. New claims 37-43 have been added. Reconsideration of these claims for allowance is respectfully requested in view of the following remarks.

35 USC § 112 Rejection

In his paragraph 2, the Examiner rejected now cancelled claims 1-36 under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention. In particular, the Examiner stated that former independent claims 1 and 19 focused "on the use of a Bayesian Network without delineating the steps or process used to instantiate the subordinate issues and sub-models cited."

New independent claim 37 from which claims 38 and 39 depend recites a computer-implemented method for diagnosing a problem in a product using a Bayesian super model data structure and clarifies the acts of the methods for accomplishing its diagnostic task and the data structures the acts manipulate in achieving its task. For example, claim 37 clarifies that the Bayesian super model data structure stores a predetermined set of problems, predetermined criteria for identifying problems in the set, and a set of sub model data structures including actions for addressing the problems in the set. The method manipulates these data structures for diagnosing the problem by

comparing the received criteria with the predetermined criteria for identifying problems in the set of the super model data structure;
responsive to a match in criteria within an acceptable margin, selecting the problem from the set associated with the matched criteria;
selecting a sub model data structure storing actions for addressing the selected problem based upon the following predetermined criteria stored in the super model: a probability of the execution of one or more actions stored in the sub model solving the selected problem and a cost of the execution of the one or more actions; and
executing one or more actions stored in the sub model.

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New independent claim 40 from which claims 41-43 depend recites a system for diagnosing a problem in a product using a Bayesian super model data structure comprising specific elements of a memory for storing the Bayesian super model data structure, a user input device for receiving user input including criteria for identifying the problem, and a diagnostic system communicatively coupled to the user input device and having access to the memory storing the super model data structure for comparing the received data with predetermined data stored in the super model to identify a predetermined problem and for selecting a sub model data structure storing actions for addressing the selected problem responsive to a match in criteria within an acceptable margin. These elements operate together to manipulate predetermined data in the Bayesian super model to select a sub model data structure storing actions for addressing the selected problem determined based upon the received user input.

Pending claims 37-43 particularly point out and distinctly claim subject matter of the invention; thus, it is respectfully requested that the 35 USC § 112 rejection be withdrawn.

<center>35 USC § 101 Rejection</center>

In his paragraph 4, the Examiner rejected claims 1-36 under 35 USC § 101 stating that the invention as disclosed in now cancelled claims 1 and 19 was not directed to statutory subject matter because they were not limited to practical applications in the technological arts. The Examiner stated that these claims failed to disclose steps necessary to enable the claimed process, transformation of certain substances, manipulation of specific data representing physical objects or activities, or any specific independent physical acts being performed by the invention.

As discussed above, independent claim 37 from which claims 38 and 39 depend provides a computer implemented method comprising specific acts that manipulate a Bayesian super model data structure for performing the real world task of diagnosing a problem in a product. Similarly, independent claim 40 from which claims 41-43 depend provides a system comprising elements which operate together to manipulate predetermined data in a Bayesian super model to select a sub model data structure storing actions for addressing a selected problem determined based upon the received user input also for the real world task of diagnosing a problem in a product. Thus, pending new

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claims 37-43 are directed to statutory subject matter; thus, it is respectfully requested that the 35 USC § 101 rejection be withdrawn.

Conclusion

In light of the arguments presented above, pending new claims 37-43 are in condition for allowance, and applicants respectfully request a prompt notice of allowance.

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